



13769007-1.2001
Docket/Matter No. 78.US4.CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Applicant : Dumas Milne Edwards, et al.

Appl. No. : 09/876,997

Filed : June 8, 2001

Title : FULL-LENGTH HUMAN CDNAS
ENCODING POTENTIALLY SECRETED
PROTEINS

Grp./A.U. : 1645

Examiner : Unassigned

Assistant Commissioner of Patents
Box: Missing Parts
Washington, D.C. 20231

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice To File Missing Parts Of Nonprovisional Application
dated July 25, 2001, enclosed please find the following documents:

	<u>Document</u>	<u>Quantity</u>
1)	Copy of the Notice To File Missing Parts Of Nonprovisional Application	1 page
2)	Declarations for Utility or Design Patent Application signed by Jean-Baptiste Dumas Milne Edwards, Lydie Bougueleret and Severine Joubert	4 pages
3)	Powers of Attorney or Authorization of Agent	3 pages
4)	Statement Under 37 CFR 3.73(b) (with copies of the Assignments)	7 pages
5)	Our check in the amount of \$65.00 in payment of the surcharge - Small Entity Status is asserted	
6)	Assignments executed by Jean-Baptiste Dumas Milne Edwards, Lydie Bougueleret and Severine Joubert; Assignment Recordation Cover Page	6 pages

	<u>Document</u>	<u>Quantity</u>
7)	Our check in the amount of \$40.00 in payment of the recordation fee	
8)	Return Receipt Postcard	

Please charge any additional fees, or credit overpayment to Deposit Account No. 50-1181.

Respectfully submitted,

GENSET CORPORATION

Date: 27 Nov, 2001 By: John Lucas
John Lucas, Ph.D., J.D.
Reg. No. 43,373

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Certificate of Mailing

Date of Deposit: Nov. 27, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the Date of Deposit shown above, postage prepaid and in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 or U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

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Signature

CM McClure
Typed or Printed Name of Person Signing Certificate



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PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/876,997
	Filing Date	June 8, 2001
	First Named Inventor	Dumas Milne Edwards, et al.
	Group Art Unit	1645
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	78.US4.CIP

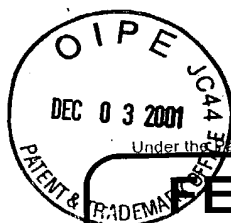
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 CFR 3.73(b)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	John Lucas, Ph.D., J.D.	Reg. No. 43,373
Signature		
Date	27 Nov 01	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>Nov. 27, 2001</u>			
Typed or printed name	<u>C. M. McClure</u>	Date	<u>11/27/2001</u>
Signature			

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09876997 120301



PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **105.00**

Complete if Known

Application Number	09/876,997
Filing Date	June 8, 2001
First Named Inventor	Dumas Milne Edwards, et al.
Examiner Name	Unassigned
Group Art Unit	1645
Attorney Docket No.	78.US4.CIP

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number **50-1181**
- Deposit Account Name **Genset Corp.**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ **Payment Enclosed:**
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE					
Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	=	X	=
Multiple Dependent	=	X	=

Large Entity Small Entity					
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) **0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **105.00**

SUBMITTED BY

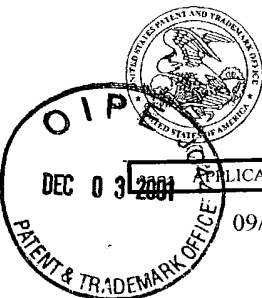
Name (Print/Type)	John Lucas, Ph.D., J.D.	Registration No. (Attorney/Agent)	43,373	Telephone	(858) 597-2600
Signature		Date	27 Nov 01		

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/876,997	06/08/2001	Jean-Baptiste Dumas Milne Edwards	78.US4.CIP

CONFIRMATION NO. 2239

FORMALITIES LETTER



OC000000006821141

John Lucas, Ph.D., J.D.
GENSET CORP.
10665 Sorrento Valley Road
San Diego, CA 92121-1609

Date Mailed: 10/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/04/2001 BABRAHA1 00000031 09876997

01 FC:205

65.00 DP